

**U.S. District Court**  
**Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-03014-PKC**

The New York Times Company et al v. Central Intelligence Agency  
Assigned to: Judge P. Kevin Castel  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/05/2018  
Date Terminated: 06/10/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****The New York Times Company**

represented by **David Edward McCraw**  
The New York Times Company (10018)  
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**ATTORNEY TO BE NOTICED**

**Plaintiff****Scott Shane**

represented by **David Edward McCraw**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****Central Intelligence Agency**

represented by **Jacob Thomas Lillywhite**  
U.S. Attorney's Office, SDNY, Civil Division  
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**LEAD ATTORNEY**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/05/2018	<u>1</u>	COMPLAINT against Central Intelligence Agency. (Filing Fee \$ 400.00, Receipt Number 0208-14905075) Document filed by The New York Times Company, Scott Shane.(McCraw, David) (Entered: 04/05/2018)
04/05/2018	<u>2</u>	CIVIL COVER SHEET filed. (McCraw, David) (Entered: 04/05/2018)
04/05/2018	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Other Affiliate Grupo Financiero Inbursa, S.A.B. de C.V. for The New York Times Company.

		Document filed by The New York Times Company.(McCraw, David) (Entered: 04/05/2018)
04/05/2018	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Central Intelligence Agency, re: <u>1</u> Complaint. Document filed by Scott Shane, The New York Times Company. (McCraw, David) (Entered: 04/05/2018)
04/06/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge P. Kevin Castel. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (jgo) (Entered: 04/06/2018)
04/06/2018		Magistrate Judge Barbara C. Moses is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (jgo) (Entered: 04/06/2018)
04/06/2018		Case Designated ECF. (jgo) (Entered: 04/06/2018)
04/06/2018	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to Central Intelligence Agency. (jgo) (Entered: 04/06/2018)
04/11/2018	<u>6</u>	ORDER INITIAL PRETRIAL CONFERENCE: Initial Conference set for 6/29/2018 at 11:15 AM in Courtroom 11D at the United States Courthouse, 500 Pearl Street, New York, NY 10007 before Judge P. Kevin Castel. (Signed by Judge P. Kevin Castel on 4/11/2018) (mro) (Entered: 04/11/2018)
04/11/2018	<u>7</u>	<b>Vacated as per Judge's Order dated 4/20/2018, Doc. # 10</b> ORDER TO ANSWER: This Court, having received Petitioner's complaint seeking a writ of mandamus pursuant to 28 U.S.C. § 1361, hereby ORDERS that: The United States Attorney for the Southern District of New York must respond within 60 days. The petitioner may file a reply within 14 days of the filing of the response. It is further ORDERED that the Clerk of Court transmit a copy of this Order and the Complaint to the United States Attorney for this District, Attention: Chief of the Civil Division. (Signed by Judge P. Kevin Castel on 4/11/2018) (mro) Modified on 4/20/2018 (ap). (Entered: 04/11/2018)
04/11/2018		Transmission to Docket Assistant Clerk. Transmitted re: <u>7</u> Order to Answer,,, to the Docket Assistant Clerk for case processing. (mro) (Entered: 04/11/2018)
04/12/2018		Mailed a copy of <u>1</u> Complaint, <u>7</u> Order to Answer to United States Attorney for the Southern District of New York, 86 Chambers St, New York, New York 10007. (rro) (Entered: 04/12/2018)
04/16/2018	<u>8</u>	NOTICE OF APPEARANCE by Jacob Thomas Lillywhite on behalf of Central Intelligence Agency. (Lillywhite, Jacob) (Entered: 04/16/2018)
04/17/2018	<u>9</u>	JOINT LETTER addressed to Judge P. Kevin Castel from Jacob Lillywhite dated 4/17/2018 re: The Court's Order to Answer dated April 11, 2018. Document filed by Central Intelligence Agency.(Lillywhite, Jacob) (Entered: 04/17/2018)
04/20/2018	<u>10</u>	MEMO ENDORSEMENT: on re: <u>9</u> Letter filed by Central Intelligence Agency. ENDORSEMENT: Order of April 11 is VACATED. SO ORDERED. (Signed by Judge P. Kevin Castel on 4/20/2018) (ap) (Entered: 04/20/2018)
05/11/2018	<u>11</u>	ANSWER to <u>1</u> Complaint. Document filed by Central Intelligence Agency.(Lillywhite, Jacob) (Entered: 05/11/2018)
06/22/2018	<u>12</u>	JOINT LETTER addressed to Judge P. Kevin Castel from David E. McCraw dated 6/22/18 re: In advance of initial pretrial conference and request to adjourn initial pretrial conference. Document filed by Scott Shane, The New York Times Company.(McCraw, David) (Entered: 06/22/2018)
06/25/2018	<u>13</u>	MEMO ENDORSEMENT on re: <u>12</u> Letter, filed by The New York Times Company, Scott Shane. ENDORSEMENT: Initial Conference date of June 29 is VACATED. Parties are directed to submit a joint status update on or before August 10, 2018.

		(Signed by Judge P. Kevin Castel on 6/25/2018) (kgo) (Entered: 06/25/2018)
08/10/2018	<u>14</u>	JOINT LETTER addressed to Judge P. Kevin Castel from Jacob Lillywhite dated 8/10/2018 re: Status Update. Document filed by Central Intelligence Agency.(Lillywhite, Jacob) (Entered: 08/10/2018)
08/22/2018	<u>15</u>	MEMO ENDORSEMENT on re: <u>14</u> Letter filed by Central Intelligence Agency. ENDORSEMENT: Submit update by November 16, 2018. (Signed by Judge P. Kevin Castel on 8/22/2018) (cf) (Entered: 08/22/2018)
11/16/2018	<u>16</u>	JOINT LETTER addressed to Judge P. Kevin Castel from David E. McCraw dated November 16, 2018 re: Status Update. Document filed by Scott Shane, The New York Times Company.(McCraw, David) (Entered: 11/16/2018)
11/30/2018	<u>17</u>	MEMO ENDORSEMENT on re: <u>16</u> Letter filed by The New York Times Company, Scott Shane. ENDORSEMENT: OK. Proposal approved. (Signed by Judge P. Kevin Castel on 11/30/2018) (jwh) (Entered: 11/30/2018)
12/27/2018	<u>18</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (mro) (Entered: 01/02/2019)
12/27/2018		Case Stayed (mro) (Entered: 01/14/2019)
02/08/2019	<u>19</u>	JOINT LETTER addressed to Judge P. Kevin Castel from David E. McCraw dated 02/08/2019 re: Status Report. Document filed by Scott Shane, The New York Times Company.(McCraw, David) (Entered: 02/08/2019)
02/11/2019	<u>20</u>	MEMO ENDORSEMENT on re: <u>19</u> Letter filed by The New York Times Company, Scott Shane. ENDORSEMENT: Schedule approved. (Motions due by 3/29/2019. Cross Motions due by 4/26/2019. Responses due by 5/17/2019. Replies due by 5/31/2019.) (Signed by Judge P. Kevin Castel on 2/8/2019) (jwh) (Entered: 02/11/2019)
03/27/2019	<u>21</u>	NOTICE OF APPEARANCE by David Stuart Jones on behalf of Central Intelligence Agency. (Jones, David) (Entered: 03/27/2019)
03/27/2019	<u>22</u>	CONSENT LETTER MOTION for Extension of Time <i>for summary judgment briefing, in light of agreement defendant will perform supplemental search and parties thereafter will brief only narrowed issues if dispute is not resolved</i> addressed to Judge P. Kevin Castel from David S. Jones dated March 27, 2019. Document filed by Central Intelligence Agency.(Jones, David) (Entered: 03/27/2019)
03/28/2019	<u>23</u>	ORDER granting <u>22</u> Letter Motion for Extension of Time: Application granted and schedule approved. (Signed by Judge P. Kevin Castel on 3/28/2019) (jwh) (Entered: 03/28/2019)
03/28/2019		Set/Reset Deadlines: Motions due by 5/28/2019. Cross Motions due by 6/25/2019. Responses due by 7/16/2019. Replies due by 7/30/2019. (jwh) (Entered: 03/28/2019)
05/28/2019	<u>24</u>	MOTION for Summary Judgment . Document filed by Central Intelligence Agency.(Lillywhite, Jacob) (Entered: 05/28/2019)
05/28/2019	<u>25</u>	MEMORANDUM OF LAW in Support re: <u>24</u> MOTION for Summary Judgment .. Document filed by Central Intelligence Agency. (Lillywhite, Jacob) (Entered: 05/28/2019)
05/28/2019	<u>26</u>	DECLARATION of Antoinette B. Shiner in Support re: <u>24</u> MOTION for Summary Judgment .. Document filed by Central Intelligence Agency. (Attachments: # <u>1</u> Exhibit A-G)(Lillywhite, Jacob) (Entered: 05/28/2019)
06/03/2019	<u>27</u>	LETTER addressed to Judge P. Kevin Castel from David E. McCraw dated 06/03/2019 re: DISMISSAL OF LAWSUIT. Document filed by Scott Shane, The New York Times Company.(McCraw, David) (Entered: 06/03/2019)
06/07/2019	<u>28</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY – PROPOSED ORDER.</b> Document filed by Central Intelligence Agency. (Lillywhite, Jacob) <b>Proposed Order to be reviewed by Clerk's Office staff.</b> Modified on 6/7/2019 (dt). (Entered:

		06/07/2019)
06/07/2019		<p><b>***NOTICE TO ATTORNEY REGARDING DEFICIENT PROPOSED ORDER.</b> Notice to attorney Jacob Lillywhite to RE-FILE Document No. <u>28</u> Proposed Order. The filing is deficient for the following reason(s): the wrong event type was used to file the proposed order; Re-file the document using the event type Proposed Stipulation and Order found under the event list Proposed Orders. – select the correct filer/filers – attach the correct signed (scanned signature image) and dated PDF. (dt) (Entered: 06/07/2019)</p>
06/07/2019	<u>29</u>	PROPOSED STIPULATION AND ORDER. Document filed by Central Intelligence Agency. (Lillywhite, Jacob) (Entered: 06/07/2019)
06/10/2019	<u>30</u>	<p>STIPULATION AND ORDER OF DISMISSAL: IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows: 1. CIA's October 31, 2018 production resolves any and all claims that Plaintiffs now have or may hereinafter acquire against CIA or the United States of America (the "United States"), or any department, agency, officer, or employee of CIA and/or the United States, related to or arising out of the FOIA Request. 2. This action is hereby dismissed with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, with each party to bear its own fees and costs. 3. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect. The Clerk is directed to terminate all motions and close the case. (Signed by Judge P. Kevin Castel on 6/10/2019) (jwh) (Entered: 06/10/2019)</p>